

APPENDIX O

JURISDICTIONAL ISSUES AND PLAINTIFFS' SUBCLASSES SUBJECT TO LEXECON ISSUES

I. PARTIES THAT DO NOT RESIDE IN NEW JERSEY FOR JURISDICTIONAL PURPOSES

Non-Resident Plaintiffs ¹
Marlin Anderson (Illinois) Merilyn Andre (California) Sandy Bell (Louisiana) Billy Joe Bruner (New Mexico) Alphonse Borkowski (New York) Gary Burnett (North Carolina) Joseph Cacaccio (New York) Samuel Cisneros (Texas) Glenda Cooper (Kentucky) Linda Crocker (Maine) Estate of Elenora Deutenberg (Florida) Miranda Dudley (North Carolina) John Duffy (New York) Lawrence Edwards (Georgia) Eric Erwin (Texas) Georgia Fatigato (Illinois) ² Leland Gildner (Indiana) Mark Hays (California) Jennifer Johnson (Minnesota) Charlie Johnston (California) Dennis Kaplan (Ohio) Sandra Kelly (Alabama) Joseph Kessinger (Kansas) Asha Lamy (Alabama) Jynona Gail Lee (Texas) Veronica Longwell (Massachusetts) Flora McGilverry (Mississippi) Mary McLean (Virginia) Jay Meader (California) Brittney Means (Texas) Ron Molinaro (Florida) Cheryl Mullins (Virginia)

¹ Format is “[Plaintiff Name] (State of Residence).”

² Although Plaintiffs voluntarily dismissed Georgia Fatigato on February 2, 2022 (See ECF 1898), she was included on Plaintiffs’ Exhibit A (ECF 1747-1) and is therefore also included in the subclass listings contained herein.

Talsie Neal (Louisiana)
Gerald Nelson (New York)
Peter O'Brien (Connecticut)
Lubertha Powell (Georgia)
Evelyn Rice (Arkansas)³
Robin Roberts (Virginia)
Lawrence Semmel (Pennsylvania)
Brian Wineinger (Indiana)
Raleigh Wolfe (Indiana)⁴

Non-Resident Defendants⁵

Manufacturers

Hetero Labs, Ltd. (Hetero) (India)
Hetero Drugs, Limited (Hetero) (India)
Mylan Laboratories, Ltd. (Mylan) (India)
Mylan N.V. (Mylan) (Netherlands)
Mylan Pharmaceuticals, Inc. (Mylan) (West Virginia) (Pennsylvania)
Aurobindo Pharma, Ltd. (Aurobindo) (India)
Teva Pharmaceutical Industries Ltd. (Teva) (Israel)
Torrent Pharmaceuticals, Ltd. (Torrent) (India)
Zhejiang Huahai Pharmaceutical Co., Ltd. (ZHP) (China)

Pharmacies

Albertson's LLC (Delaware) (Idaho)
CVS (Delaware) (Rhode Island)
Express Scripts (Delaware) (Missouri)⁶
Kroger (Ohio)
OptumRx (Minnesota) (California)

³ Although Plaintiffs voluntarily dismissed Evelyn Rice on December 22, 2021 (*See* ECF 1833), she was included on Plaintiffs' Exhibit A (ECF 1747-1) and is therefore also included in the subclass listings contained herein.

⁴ Although Plaintiffs voluntarily dismissed Raleigh Wolfe on February 14, 2022 (*See* ECF 1912), he was included on Plaintiffs' Exhibit A (ECF 1747-1) and is therefore also included in the subclass listings contained herein.

⁵ Format is “[Company Name] (Defendant Group) (Country or State of Incorporation) (Principal Place of Business, if different)”

⁶ Express Scripts, Inc. is not a pharmacy and does not dispense medications. However, the actual Express Scripts pharmacy entity that dispensed valsartan-containing products to named plaintiffs or class representatives, if any, was likely owned and operated by a subsidiary of Express Scripts, Inc., and Express Scripts, Inc. has agreed to continue in this solely on behalf of the appropriate pharmacy entity or entities and will identify those entities at the appropriate time. All references to “Express Scripts” are to the appropriate pharmacy entity or entities and not to Express Scripts, Inc.

Rite-Aid (Delaware) (Pennsylvania)
 Walgreens (Delaware) (Illinois)
 Walmart (Delaware) (Arkansas)

Wholesalers

Cardinal Health, Inc. (Ohio)
 McKesson Corporation (Delaware) (Texas)
 AmerisourceBergen Corporation (Delaware) (Pennsylvania)

II. LEXECON WHOLLY-EXCLUDED SUBCLASSES

<u>Wholly-Excluded Subclasses</u> (All Non-Resident Plaintiffs Suing Only Non-Resident Defendants)			
Subclass Name	Defendant Group(s)	Plaintiffs	Defendants
WALIW1	Walgreens	Raleigh Wolf (IN)	Walgreens (DE/IL)
WMTIW1	Walmart	Brian Wineinger (IN)	Walmart (DE/AR)
KROIW1	Kroger	Leland Gildner (IN)	Kroger (OH)
CVSCPA1	CVS	Jay Meader (CA); Mark Hays (CA); Peter O'Brien (CT); Ron Molinaro (FL); Elenora Deutenberg/Feijoo (FL); Marlin Anderson (IL); Sandy Bell (LA); Lawrence Semmel (PA)	CVS (DE/RI)
CVSCPA3	CVS	Lawrence Edwards (GA); Veronica Longwell (MA); Brittney Means (TX)	CVS (DE/RI)
WALCPA1	Walgreens	Elenora Deutenberg/Feijoo (FL); Georgia Fatigato (IL); John Duffy (NY)	Walgreens (DE/IL)
WALCPA3	Walgreens	Lubertha Powell (GA); Eric Erwin (TX); Brittney Means (TX)	Walgreens (DE/IL)
RITCPA1	Rite-Aid	Alphonse Borkowski (NY); Joseph Caccio (NY); Gerald Nelson (NY); Dennis Kaplan (OH)	Rite-Aid (DE/PA)
RITCPA2	Rite-Aid	Lawrence Edwards (GA)	Rite-Aid (DE/PA)

<u>Wholly-Excluded Subclasses</u> (All Non-Resident Plaintiffs Suing Only Non-Resident Defendants)			
Subclass Name	Defendant Group(s)	Plaintiffs	Defendants
WMTCPA1	Walmart	Talsie Neal (LA); Gary Burnett (NC)	Walmart (DE/AR)
WMTCPA2	Walmart	Jennifer Johnson (MN)	Walmart (DE/AR)
WMTCPA3	Walmart	Flora McGilvery (MS); Jynona Gail Lee (TX); Samuel Cisneros (TX)	Walmart (DE/AR)
ESICPA1	Express Scripts	Mark Hays (CA); Merilyn Andre (CA)	Express Scripts (DE/MO)
KROCPA1	Kroger	Asha Lamy (AL)	Kroger (OH)
OPTCPA1	Optum Rx	Charlie Johnston (CA)	Optum Rx (MN/CA)
ALBCPA1	Albertson's	Merilyn Andre (CA)	Albertson's (DE/ID)
CVSUE1	CVS	Brittney Means (TX)	CVS (DE/RI)
CVSUE2	CVS	Peter O'Brien (CT)	CVS (DE/RI)
CVSUE4	CVS	Marlin Anderson (IL); Sandy Bell (LA); Mark Hays (CA); Joseph Kessinger (KS); Jay Meader (CA); Veronica Longwell (MA)	CVS (DE/RI)
VALUE1	Walgreens	Eric Erwin (TX); Brittney Means (TX)	Walgreens (DE/IL)
VALUE3	Walgreens	Marlin Anderson (IL); Billy Joe Bruner (NM); John Duffy (NY); Georgia Fatigato (IL); Raleigh Wolfe (IN)	Walgreens (DE/IL)
RITUE1	Rite-Aid	Dennis Kaplan (OH); Lawrence Edwards (GA)	Rite-Aid (DE/PA)
RITUE2	Rite-Aid	Alphonse Borkowski (NY); Joseph Caccio (NY); Gerald Nelson (NY)	Rite-Aid (DE/PA)
WMTUE1	Walmart	Samuel Cisneros (TX); Jyona Gail Lee (TX);	Walmart (DE/AR)
WMTUE2	Walmart	Jennifer Johnson (MN)	Walmart (DE/AR)
WMTUE3	Walmart	Robin Roberts (VA)	Walmart (DE/AR)
WMTUE4	Walmart	Gary Burnett (NC); Flora McGilvery (MS); Talsie Neal (LA); Brian Wineinger (IN)	Walmart (DE/AR)

<u>Wholly-Excluded Subclasses</u> (All Non-Resident Plaintiffs Suing Only Non-Resident Defendants)			
Subclass Name	Defendant Group(s)	Plaintiffs	Defendants
ESIUE1	Express Scripts	Merilyn Andre (CA); Mark Hays (CA); Veronica Longwell (MA)	Express Scripts (DE/MO)
KROUE1	Kroger	Merilyn Andre (CA); Leland Gildner (IN)	Kroger (OH)
OPTUE1	Optum Rx	Charlie Johnston (CA)	Optum Rx (MN/CA)
ALBUE1	Albertson's	Merilyn Andre (CA)	Albertson's (DE/ID)
WHUE1	Wholesaler Defendants	Eric Erwin (TX); Brittney Means (TX); Jynona Gail Lee (TX); Samuel Cisneros (TX)	Cardinal Health, Inc. (OH); McKesson Corporation (DE/TX); AmerisourceBergen Corporation (DE/PA)
WHUE2	Wholesaler Defendants	Asha Lamy (AL); Sandra Kelly (AL)	Cardinal Health, Inc. (OH); McKesson Corporation (DE/TX); AmerisourceBergen Corporation (DE/PA)
WHUE3	Wholesaler Defendants	Peter O'Brien (CT); Jennifer Johnson (MN)	Cardinal Health, Inc. (OH); McKesson Corporation (DE/TX); AmerisourceBergen Corporation (DE/PA)

<u>Wholly-Excluded Subclasses</u> (All Non-Resident Plaintiffs Suing Only Non-Resident Defendants)			
Subclass Name	Defendant Group(s)	Plaintiffs	Defendants
WHUE5	Wholesaler Defendants	Jay Meader (CA); Mark Hays (CA); Merilyn Andre (CA); Charlie Johnston (CA); Marlin Anderson (IL); Brian Wineinger (IN); Raleigh Wolfe (IN); Joseph Kessinger (KS); Talsie Neal (LA); Sandy Bell (LA); Linda Crocker (ME); Veronica Longwell (MA); Flora McGilvery (MS); Billy Joe Bruner (NM); Alphonse Borkowski (NY); John Duffy (NY); Gerald Nelson (NY); Joseph Cacaccio (NY); Gary Burnett (NC); Miranda Dudley (NC)	Cardinal Health, Inc. (OH); McKesson Corporation (DE/TX); AmerisourceBergen Corporation (DE/PA)
WHUE6	Wholesaler Defendants	Glenda Cooper (KY)	Cardinal Health, Inc. (OH); McKesson Corporation (DE/TX); AmerisourceBergen Corporation (DE/PA)

III. LEXECON PARTIALLY-EXCLUDED SUBCLASSES

Partially-Excluded Subclasses (All Non-Resident Plaintiffs Suing Some Non-Resident Defendants)			
Subclass Name	Defendant Group(s)	Plaintiffs	Non-Resident Defendants
ZHPTORTEVEW2	ZHP Torrent Teva	Sandra Kelly (AL); Evelyn Rice (AR); Dennis Kaplan (OH); Lubertha Powell (GA); Flora McGilvery (MS); Alphonse Borkowski (NY); Joseph Cacaccio (NY); John Duffy (NY); Gerald Nelson (NY); Gary Burnett (NC); Miranda Dudley (NC); Eric Erwin (TX); Samuel Cisneros (TX); Jynona Gail Lee (TX)	Teva Pharmaceutical Industries Ltd. (Israel); Torrent Pharmaceuticals, Ltd. (India); Zhejiang Huahai Pharmaceutical Co., Ltd. (ZHP) (China)
MYLTEVEW2	Mylan Teva	Asha Lamy (AL); Lawrence Edwards (GA); Joseph Cacaccio (NY); Gerald Nelson (NY); Eric Erwin (TX); Brittney Means (TX)	Mylan Laboratories, Ltd. (India); Mylan N.V. (Netherlands); Mylan Pharmaceuticals, Inc. (WV/PA); Teva Pharmaceutical Industries Ltd. (Israel)
HETEW2	Hetero	Peter O'Brien (CT)	Hetero Labs, Ltd. (India); Hetero Drugs, Limited (India)
AUREW2	Aurobindo	Evelyn Rice (AR); Dennis Kaplan (OH); Lawrence Edwards (GA); Jennifer Johnson (MN); Joseph Cacaccio (NY); Gerald Nelson (NY); Eric Erwin (TX)	Aurobindo Pharma, Ltd. (India)
ZHPTORTEVIW2	ZHP, Torrent, Teva	Evelyn Rice (AR); Lubertha Powell (GA); Flora McGilvery (MS); Eric Erwin (TX); Cheryl Mullins (VA); Jynona Gail Lee (TX); Samuel Cisneros (TX)	Teva Pharmaceutical Industries Ltd. (Israel); Torrent Pharmaceuticals, Ltd. (India); Zhejiang Huahai Pharmaceutical Co., Ltd. (ZHP) (China)

<u>Partially-Excluded Subclasses</u> (All Non-Resident Plaintiffs Suing Some Non-Resident Defendants)			
Subclass Name	Defendant Group(s)	Plaintiffs	Non-Resident Defendants
ZHPTORTEVIW3	ZHP, Torrent, Teva	Rob Molinaro (FL); Elenora Deutenberg/Feijoo (FL); Marlin Anderson (IL); Alphonse Borkowski (NY); Joseph Cacaccio (NY); John Duffy (NY); Georgia Fatigato (IL); Gerald Nelson (NY); Gary Burnett (NC); Miranda Dudley (NC)	Teva Pharmaceutical Industries Ltd. (Israel); Torrent Pharmaceuticals, Ltd. (India); Zhejiang Huahai Pharmaceutical Co., Ltd. (ZHP) (China)
ZHPTORTEVIW4	ZHP, Torrent, Teva	Sandra Kelly (AL); Dennis Kaplan (OH)	Teva Pharmaceutical Industries Ltd. (Israel); Torrent Pharmaceuticals, Ltd. (India); Zhejiang Huahai Pharmaceutical Co., Ltd. (ZHP) (China)
ZHPTORTEVIW5	ZHP, Torrent, Teva	Talsie Neal (LA)	Teva Pharmaceutical Industries Ltd. (Israel); Torrent Pharmaceuticals, Ltd. (India); Zhejiang Huahai Pharmaceutical Co., Ltd. (ZHP) (China)
MYLTEVIW2	Mylan, Teva	Lawrence Edwards (GA); Mary McLean (VA); Eric Erwin (TX); Brittney Means (TX)	Mylan Laboratories, Ltd. (India); Mylan N.V. (Netherlands); Mylan Pharmaceuticals, Inc. (WV/PA); Teva Pharmaceutical Industries Ltd. (Israel)
MYLTEVIW3	Mylan, Teva	Joseph Cacaccio (NY); Gerald Nelson (NY)	Mylan Laboratories, Ltd. (India); Mylan N.V. (Netherlands); Mylan Pharmaceuticals, Inc. (WV/PA); Teva Pharmaceutical Industries Ltd. (Israel)

<u>Partially-Excluded Subclasses</u> (All Non-Resident Plaintiffs Suing Some Non-Resident Defendants)			
Subclass Name	Defendant Group(s)	Plaintiffs	Non-Resident Defendants
MYLTEVEW4	Mylan, Teva	Asha Lamy (AL)	Mylan Laboratories, Ltd. (India); Mylan N.V. (Netherlands); Mylan Pharmaceuticals, Inc. (WV/PA); Teva Pharmaceutical Industries Ltd. (Israel)
HETIW2	Hetero	Peter O'Brien (CT)	Hetero Labs, Ltd. (India); Hetero Drugs, Limited (India)
AURIW2	Aurobindo	Evelyn Rice (AR); Lawrence Edwards (GA); Jennifer Johnson (MN); Eric Erwin (TX)	Aurobindo Pharma, Ltd. (India)
AURIW3	Aurobindo	Elenora Deutenberg/Feijoo (FL); Marlin Anderson (IL); Joseph Caccacio (NY); Gerald Nelson (NY)	Aurobindo Pharma, Ltd. (India)
AURIW4	Aurobindo	Dennis Kaplan (OH)	Aurobindo Pharma, Ltd. (India)
AURIW5	Aurobindo	Sandy Bell (LA)	Aurobindo Pharma, Ltd. (India)
ZHPTORTEVFR1	ZHP, Torrent, Teva	Charlie Johnston (CA); Lubertha Powell (GA); Brian Wineinger (IN); Raleigh Wolfe (IN); Glenda Cooper (KY); Billy Joe Bruner (NM); Dennis Kaplan (OH); Lawrence Semmel (PA); Eric Erwin (TX); Jynona Gail Lee (TX); Samuel Cisneros (TX); Gary Burnett (NC); Miranda Dudley (NC)	Teva Pharmaceutical Industries Ltd. (Israel); Torrent Pharmaceuticals, Ltd. (India); Zhejiang Huahai Pharmaceutical Co., Ltd. (ZHP) (China)

<u>Partially-Excluded Subclasses</u> (All Non-Resident Plaintiffs Suing Some Non-Resident Defendants)			
Subclass Name	Defendant Group(s)	Plaintiffs	Non-Resident Defendants
ZHPTORTEVFR2	ZHP, Torrent, Teva	Sandra Kelly (AL); Evelyn Rice (AR); Marlin Anderson (IL); Georgia Fatigato (IL); Jennifer Johnson (MN); Flora McGilvery (MS)	Teva Pharmaceutical Industries Ltd. (Israel); Torrent Pharmaceuticals, Ltd. (India); Zhejiang Huahai Pharmaceutical Co., Ltd. (ZHP) (China)
MYLTEVFR1	Mylan, Teva	Jay Meader (CA); Mark Hays (CA); Lawrence Edwards (GA); Glenda Cooper (KY); Eric Erwin (TX); Brittney Means (TX)	Mylan Laboratories, Ltd. (India); Mylan N.V. (Netherlands); Mylan Pharmaceuticals, Inc. (WV/PA); Teva Pharmaceutical Industries Ltd. (Israel)
MYLTEVFR2	Mylan, Teva	Asha Lamy (AL)	Mylan Laboratories, Ltd. (India); Mylan N.V. (Netherlands); Mylan Pharmaceuticals, Inc. (WV/PA); Teva Pharmaceutical Industries Ltd. (Israel)
HETFR1	Hetero	Mark Hays (CA); Peter O'Brien (CT); Leland Gildner (IN); Veronica Longwell (MA)	Hetero Labs, Ltd. (India); Hetero Drugs, Limited (India)
AURFR1	Aurobindo	Mark Hays (CA); Merilyn Andre (CA); Lawrence Edwards (GA); Joseph Kessinger (KS); Dennis Kaplan (OH); Eric Erwin (TX); Veronica Longwell (MA); Linda Crocker (ME)	Aurobindo Pharma, Ltd. (India)
AURFR2	Aurobindo	Evelyn Rice (AR); Marlin Anderson (IL); Jennifer Johnson (MN)	Aurobindo Pharma, Ltd. (India)

<u>Partially-Excluded Subclasses</u> (All Non-Resident Plaintiffs Suing Some Non-Resident Defendants)			
Subclass Name	Defendant Group(s)	Plaintiffs	Non-Resident Defendants
ZHPTORTEVCPA1	ZHP, Torrent, Teva	Charlie Johnston (CA); Ron Molinaro (FL); Elenora Deutenberg/Feijoo (FL); Marlin Anderson (IL); Talsie Neal (LA); Alphonse Borkowski (NY); Joseph Caccio (NY); John Duffy (NY); Gerald Nelson (NY); Gary Burnett (NC); Miranda Dudley (NC); Dennis Kaplan (OH); Lawrence Semmel (PA); Georgia Fatigato (IL)	Teva Pharmaceutical Industries Ltd. (Israel); Torrent Pharmaceuticals, Ltd. (India); Zhejiang Huahai Pharmaceutical Co., Ltd. (ZHP) (China)
ZHPTORTEVCPA3	ZHP, Torrent, Teva	Sandra Kelly (AL); Lubertha Powell (GA); Flora McGilvery (MS); Eric Erwin (TX); Brittney Means (TX); Samuel Cisneros (TX); Jynona Gail Lee (TX)	Teva Pharmaceutical Industries Ltd. (Israel); Torrent Pharmaceuticals, Ltd. (India); Zhejiang Huahai Pharmaceutical Co., Ltd. (ZHP) (China)
ZHPTORTEVCPA4	ZHP, Torrent, Teva	Evelyn Rice (AR); Glenda Cooper (KY); Billy Joe Bruner (NM); Lawrence Semmel (PA); Cheryl Mullins (VA); Robin Roberts (VA); Mary McLean (VA)	Teva Pharmaceutical Industries Ltd. (Israel); Torrent Pharmaceuticals, Ltd. (India); Zhejiang Huahai Pharmaceutical Co., Ltd. (ZHP) (China)
ZHPTORTEVCPA5	ZHP, Torrent, Teva	Brian Wineinger (IN); Raleigh Wolfe (IN)	Teva Pharmaceutical Industries Ltd. (Israel); Torrent Pharmaceuticals, Ltd. (India); Zhejiang Huahai Pharmaceutical Co., Ltd. (ZHP) (China)

<u>Partially-Excluded Subclasses</u> (All Non-Resident Plaintiffs Suing Some Non-Resident Defendants)			
Subclass Name	Defendant Group(s)	Plaintiffs	Non-Resident Defendants
MYLTEVCPA1	Mylan, Teva	Jay Meader (CA); Mark Hays (CA); Peter O'Brien (CT); Joseph Cacaccio (NY); Gerald Nelson (NY)	Mylan Laboratories, Ltd. (India); Mylan N.V. (Netherlands); Mylan Pharmaceuticals, Inc. (WV/PA); Teva Pharmaceutical Industries Ltd. (Israel)
MYLTEVCPA3	Mylan, Teva	Asha Lamy (AL); Lawrence Edwards (GA); Eric Erwin (TX); Brittney Means (TX)	Mylan Laboratories, Ltd. (India); Mylan N.V. (Netherlands); Mylan Pharmaceuticals, Inc. (WV/PA); Teva Pharmaceutical Industries Ltd. (Israel)
MYLTEVCPA4	Mylan, Teva	Glenda Cooper (KY); Mary McLean (VA); Robin Roberts (VA)	Mylan Laboratories, Ltd. (India); Mylan N.V. (Netherlands); Mylan Pharmaceuticals, Inc. (WV/PA); Teva Pharmaceutical Industries Ltd. (Israel)
MYLTEVCPA5	Mylan, Teva	Leland Gildner (IN)	Mylan Laboratories, Ltd. (India); Mylan N.V. (Netherlands); Mylan Pharmaceuticals, Inc. (WV/PA); Teva Pharmaceutical Industries Ltd. (Israel)
HETCPA1	Hetero	Mark Hays (CA); Peter O'Brien (CT)	Hetero Labs, Ltd. (India); Hetero Drugs, Limited (India)
HETCPA3	Hetero	Leland Gildner (IN)	Hetero Labs, Ltd. (India); Hetero Drugs, Limited (India)

<u>Partially-Excluded Subclasses</u>			
(All Non-Resident Plaintiffs Suing Some Non-Resident Defendants)			
Subclass Name	Defendant Group(s)	Plaintiffs	Non-Resident Defendants
AURCPA1	Aurobindo	Mark Hays (CA); Merilyn Andre (CA); Elenora Deutenberg/Feijoo (FL); Marlin Anderson (IL); Sandy Bell (LA); Joseph Cacaccio (NY); Gerald Nelson (NY); Dennis Kaplan (OH)	Aurobindo Pharma, Ltd. (India)
AURCPA3	Aurobindo	Lawrence Edwards (GA); Linda Crocker (ME); Veronica Longwell (MA); Eric Erwin (TX)	Aurobindo Pharma, Ltd. (India)
AURCPA4	Aurobindo	Evelyn Rice (AR)	Aurobindo Pharma, Ltd. (India)